

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. This Amendment should be entered under Rule 116 because it places this application in condition for allowance.

By this Amendment, claims 17, 18, 21, 26, 27, 35, and 36 are amended to better define the claimed invention. Claims 17-22 and 24-37 are pending in the application.

Claim 17 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, claim 17 is amended to overcome this rejection.

In particular, the term “profile” is removed, and claim 17 is amended to even more clearly recite, among other things, “a first comparison unit . . . for determining at least one first risk of collision of the aircraft with the ground corresponding to the first flight duration,” “a second comparison unit . . . for determining a second risk of collision of the aircraft with the ground corresponding to the second flight duration,” and “an alarm unit linked to said information processing apparatus and configured to generate: a first alarm being a vertical avoidance alarm when the first risk of collision is avoidable by a simple vertical avoidance maneuver; and a second alarm being a traverse avoidance alarm when the second risk of collision is not avoidable by a simple vertical avoidance maneuver.” As such, amended claim 17 is sufficient definite. Withdrawal of the rejection of claim 17 under § 112, second paragraph is respectfully requested.

Claim 18 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, claim 18 is amended to overcome this rejection. In particular, claim 18 is amended to more clearly recite, among other things “at least a prealarm for indicating a potential collision according to the determined third risk of collision.” As such, amended claim 18 is sufficient definite. Withdrawal of the rejection of claim 18 under § 112, second paragraph is respectfully requested.

In addition, claims 21, 26, 27 are amended to further the consistency of claim language in view of the amendments made to claims 17 and 18.

Claims 35 and 36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, claims 35 and 36 are amended to overcome this rejection based on an approach similar to the amendments made to claims 17 and 18. As such, similar to the reasons presented above for claims 17 and 18, claims 35 and 36 are sufficient definite. Withdrawal of the rejection of claims 35 and 36 under § 112, second paragraph is respectfully requested.

Claims 18-22, 24-34, and 36-37 are objected to as being dependent upon a rejected base claim. In view of the forgoing amendments and remarks, claims 18-22, 24-34, and 36-37 are now believed in condition for allowance.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice to that effect is earnestly solicited.

The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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